

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

KOHEN DIALLO UHURU,

Plaintiff,

v.

J. BENAVIDEZ, et al.,

Defendants.

No. 2:22-CV-0784-TLN-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's "Motion and Notice with Request for Admission Pursuant to Fed. R. Civ. Proc. Rule 36(a)(1)(2)(3)(4)," ECF No. 35. This document appears to be requests for admissions. Request for admissions shall not be filed unless and until there is a proceeding in which the document is at issue. See Local Rule 250.4(c). Here, as no defendants have been served or appeared in the action, there are no pending motions which would put Plaintiff's discovery request at issue.

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Accordingly, IT IS HEREBY ORDRED as follows:

1. Plaintiff's filing at ECF No. 35 is STRICKEN.
2. The Clerk of the Court is directed to terminate ECF No. 35 as a pending motion.

Dated: November 6, 2023



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE